

Hon. Kymberly K. Evanson

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DENNIS E. DAVIS, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

SYMETRA LIFE INSURANCE COMPANY,

Defendant.

Case No. 2:21-cv-00533-KKE

**STIPULATION AND JOINT MOTION
TO MODIFY SCHEDULING ORDER
AND ORDER**

Noted on Motion Calendar: 10/10/2023

Pursuant to Local Civil Rules 16(b)(6), Plaintiff Dennis Davis and Defendant Symetra Life Insurance Company jointly and respectfully move this Court to modify the current scheduling orders at ECF No. 54.

Good cause exists for the modification and the Parties respectively request the Court consider the following modifications to the case schedule. The Parties are diligently pursuing discovery and completed rounds of written discovery and document production. Symetra has taken the Plaintiff's deposition and produced requested policy data. Additionally, Symetra has completed its voluminous, agreed-upon ESI production and provided its supplemental interrogatory responses. The Parties have been working cooperatively to push through this phase of this discovery. The Parties have also agreed to conduct a deposition of Symetra pursuant to Rule 30(b)(6). The Parties are currently conferring on the scope of certain topics as well as attempting to reach agreements that may streamline discovery into certain technical topics, like policyholder data. Due to witness availability and with the goal of reaching further agreement on certain 30(b)(6) topics, the Parties propose to conduct the 30(b)(6) deposition in the last week of October or the first week of November. To accommodate this ongoing and upcoming class discovery, the Parties met and conferred and jointly propose modifying the current case schedule to extend the current deadlines by four weeks as follows:

Event	Current Deadline (ECF 54)	Proposed Deadline
Class Discovery completed by this date	Thursday, October 12, 2023	Thursday, November 09, 2023
Deadline to file Plaintiff's motion for class certifications and class expert disclosure	Tuesday, November 21, 2023	Tuesday, December 19, 2023
Deadline for amended pleadings	Tuesday, November 21, 2023	Tuesday, December 19, 2023
Reports from Plaintiff's expert witnesses under FRCP 26(a)(2) for use in support of class certification	Tuesday, November 21, 2023	Tuesday, December 19, 2023

Event	Current Deadline (ECF 54)	Proposed Deadline
Deadline to file Defendant's opposition to Plaintiff's motion for class certification and any objections to Plaintiff's experts	Wed., January 24, 2024	Wed., February 21, 2024
Reports from Defendant's expert witnesses under FRCP 26(a)(2)	Wed., January 24, 2024	Wed., February 21, 2024
Deadline to file Plaintiff's Reply brief in support of class certification motion and any objection to Defendant's experts	Friday, March 08, 2024	Friday, April 05, 2024
Rebuttal reports from Plaintiff's expert witnesses under FRCP 26(a)(2) for use in support of class certification	Friday, March 08, 2024	Friday, April 05, 2024
Settlement Conference, if mediation has been requested by the parties per LCR 39.1, held no later than	Friday, April 26, 2024	Friday, May 24, 2024
Mediation per LCR 39.1, if requested by the parties, held no later than	Friday, May 31, 2024	Friday, June 28, 2024

It is the expectation of the Parties that the proposed schedule will narrow the issues and discovery remaining, if any, for trial. Accordingly, the Parties respectfully ask that the Court enter the above stipulated schedule.

Dated this 9th day of October, 2023

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*Attorney for Defendant SYMETRA
LIFE INSURANCE COMPANY*

ORDER

Pursuant to the Parties' joint motion to modify scheduling order, the Parties' joint proposed schedule is adopted, as set forth below.

Event	Proposed Deadline
Class Discovery completed by this date	Thursday, November 09, 2023
Deadline to file Plaintiff's motion for class certifications and class expert disclosure	Tuesday, December 19, 2023
Deadline for amended pleadings	Tuesday, December 19, 2023
Reports from Plaintiff's expert witnesses under FCP 26(a)(2) for use in support of class certification	Tuesday, December 19, 2023
Deadline to file Defendant's opposition to Plaintiff's motion for class certification and any objections to Plaintiff's experts	Wed., February 21, 2024
Reports from Defendant's expert witnesses under FRCP 26(a)(2)	Wed., February 21, 2024
Deadline to file Plaintiff's Reply brief in support of class certification motion and any objection to Defendant's experts	Friday, April 05, 2024
Rebuttal reports from Plaintiff's expert witnesses under FRCP 26(a)(2) for use in support of class certification	Friday, April 05, 2024
Settlement Conference, if mediation has been requested by the parties per LCR 39.1, held no later than	Friday, May 24, 2024
Mediation per LCR 39.1, if requested by the parties, held no later than	Friday, June 28, 2024

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2 All other case deadlines, including expert discovery cutoff, last day to file dispositive
3 motion, and trial date will be determined after the Court's issuance of its decision on plaintiff's
4 motion for class certification. Notwithstanding the foregoing, parties may file any dispositive
5 motion early. The Parties are ordered to meet and confer within 21 days of the Court's class
6 certification ruling and submit a joint proposed schedule for the Court's consideration.
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9 IT IS SO ORDERED.
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11 Dated this 10th day of October 2023
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15 Kymberly K. Evanson
16 United States District Judge
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